IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO EASTERN DIVISION

UNITED STATE	ES OF AMERIC	Α,
	Plaintiff,) CASE NO: 1:05-CR-0574
v.) Judge Dan Aaron Polster
LEWIS HALL,		OPINION AND ORDER
	Defendant.)
		<u>MEMORANDUM</u>

Before the Court is Defendant Lewis Hall's Emergency Motion requesting clarification of commencement of sentence ("Motion"), **ECF Doc #: 48**. In his Motion, Mr. Hall requests that the Court commute his supervisory release sentence to time served in light of U.S. District Court Judge Kennelly for the Northern District of Illinois' order granting Mr. Hall compassionate release pursuant to 18 U.S.C § 3582(c)(1)(A).¹ For the following reasons, Mr. Hall's Motion is **GRANTED.**

On June 22, 2006, Mr. Hall was sentenced to 76 months in prison followed by a term of supervised release for a period of five (5) years for possession with intent to distribute cocaine base in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B), by U.S. District Court Judge Peter C. Economus for the Northern District of Ohio. *See* ECF Doc. #: 31. On December 15, 2008, Mr. Hall requested that a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2), U.S.S.G. § 1B1.10, and the decision of December 11, 2007 by the United States Sentencing Commission to apply retroactively U.S.S.G. § 2D1.1 as amended with regard to the offense levels applicable to cocaine base. *See* ECF Doc. #: 32. On January 12, 2009, Mr. Hall's request for a sentence reduction was

¹ See Northern District of Illinois case No. 1:12-cr-00851, Doc #. 231.

granted and his sentence was reduced to 62 months. *See* ECF Doc. #: 34. On October 25, 2010, Mr. Hall's case was reassigned to this Court. *See* ECF October 25, 2010 non-document order.

On November 5, 2013, Mr. Hall was sentenced in the Northern District of Illinois to 132 months in prison for conspiracy to possess with intent to distribute heroin, followed by five (5) years of supervised release. *See* Northern District of Illinois ("NDOI") ECF Doc. #: 222. On January 16, 2014, in response to a supervisory release violation relating to Mr. Hall's offense before this Court, the Court scheduled a Violation Hearing for February 18, 2014. *See* ECF Doc. #: 46. On February 18, 2014, Mr. Hall admitted to the violations, and the Court revoked Mr. Hall's supervised release and sentenced him to 24 months in custody with the first 12 months running concurrently with Mr. Hall's Northern District of Illinois sentence, and the second 12 months running consecutively. *See* ECF Doc. ##: 46-47.

On August 12, 2020, Mr. Hall filed a motion for compassionate release in the Northern District of Illinois. *See* NDOI ECF Doc. #: 222. On March 8, 2021, Mr. Hall's motion was granted, and Mr. Hall's sentence was reduced to time served with a fourteen-day stay to allow him to quarantine. *See* NDOI ECF Doc. ##: 231-34. However, because this Court revoked Mr. Hall's supervisory release in connection with his offense before this Court and sentenced him to 24 months in custody, Mr. Hall still has 12 months to serve, despite being granted compassionate release in the Northern District of Illinois.

Accordingly, after confirming with Judge Kennelly that he intended to release Mr. Hall once he clears quarantine and upon careful consideration, the Court finds it appropriate to commute Mr. Hall's supervisory release sentence to time served in accordance with Judge Kennelly's order granting Mr. Hall compassionate release pursuant to 18 U.S.C § 3582(c)(1)(A). The time Mr. Hall has served is sufficient punishment, in light of Judge Kennelly's findings related to Mr. Hall's

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medical condition. See NDOI ECF Doc. #: 231. Mr. Hall can now be released from the Bureau of

Prisons after his quarantine in accordance with Judge Kennelly's order. See id. The Court sincerely

hopes Mr. Hall will go forth and live a law-abiding life.

For these reasons, Mr. Hall's Motion, ECF Doc #: 48, is GRANTED.

IT IS SO ORDERED.

/s/ Dan Aaron Polster March 17, 2021____

Dan Aaron Polster United States District Judge

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